

TOWN OF FOREST HEIGHTS  
RESOLUTION 11-20

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND APPROVING A REQUEST OF SPECIAL LEGAL COUNSEL REGARDING REPRESENTATION IN OPIOID MATTER**

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, pursuant to Section 33-65 of the Charter of the Town of Forest Heights (the “Charter”) the Mayor with the approval of the Council shall appoint a Town Attorney and the Town shall further have the power to employ such legal consultants as it deems necessary from time to time; and

**WHEREAS**, on August 21, 2019, the Town Council approved Resolution 53-19 appointing special counsel to represent the Town in certain opioid litigation matters: and

**WHEREAS**, the Council finds that the Town of Forest Heights, Maryland has recently acknowledged receipt that one of its special counsel firms, Andrews & Thornton, represents individual opioid victims in the bankruptcies of one or more opioid manufacturers, and there exists the possibility that a future, waivable conflict may arise due to limited funds available to a bankrupt defendant in a bankruptcy action; and

**WHEREAS**, the Council further finds that Andrews & Thornton has advised its co-counsel that having consulted with their own separate counsel, that no actual conflict exists since attorney Anne Andrews of Andrews & Thornton, in her position in the bankruptcies, is obligated to maximize recovery for all claimants, not just one category of cases..

**NOW THEREFORE BE IT RESOLVED**, that the Town Council hereby agrees to waive the potential conflict relating to the concurrent representation of different clients pursuing recovery from limited funds from a bankrupt debtor to the extent permissible under the Rules of Professional Conduct and hereby approves and authorizes the Mayor, based on the recommendations of the Town Attorney, to sign the waiver letter provided by the law firms of Theodora Oringer PC and Andrews & Thornton.

**AND BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute on behalf of the Town said disclosure and waiver form letter.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect upon its passage.

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**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland.

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>YEA</u>
KENNEDY II	<u>YEA</u>
NOBLE	<u>YEA</u>
BARNES	<u>YEA</u>
HINES	<u>YEA</u>
WASHINGTON	<u>YEA</u>
ATKINSON	<u>YEA</u>

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF  
FOREST HEIGHTS, MARYLAND

**SIGNATURE ON FILE**

Sherletta B. Hawkins, Town Clerk

By: **SIGNATURE ON FILE**

Habeeb-Ullah Muhammad, Mayor

By: **SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 18th day of March 2020 with 7 Aye votes and 0 Nay vote the aforesaid Resolution 11-20 passed.

**SIGNATURE ON FILE**

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Sherletta Hawkins, Town Clerk

Exhibit A (Disclosure/Release Ltr dated 1/24/20)